

REMARKS**Status Of Claims**

Upon entry of this amendment claims 1 and 3-12 will be pending in this application. Claims 1, and 4-12 are amended herein. No new subject matter is added.

Priority Acknowledgment

Applicants respectfully request acknowledgment of Applicants' claim to convention priority under 35 U.S.C. § 119 filed November 5, 2003, made with a concurrent submission of certified copy of priority document 2002-251992 JP.

Allowable Subject Matter

Applicant acknowledges the Examiner's conclusion previous claims 6, 7 and 12 contain allowable subject matter.

Response to Rejections Under 35 U.S.C. § 103(a)

Claims 1, 3-5, 8-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 06055730 to Sakamoto et al (Sakamoto '730) in view of USPN 5,75,609 to Ito et al (Ito '609).

The present invention recites "control means for causing said help means to perform the cap opening help operation if said detection means detects that the cap opening operation by said capping means cannot be performed". (see Claim 1) According to this feature, a cleaning operation for a printing head can be smoothly performed. Claim 1 is the only pending independent claim and all other claims (i.e., 3-12) depend from claim 1 either directly or indirectly.

Sakamoto '730 discloses that in Fig. 5, a lever 11 is made, contact with a driving up member 14 for performing a cap opening operation of a cap 12 when a carriage 6 moves to a scanning area. However, Applicants respectfully assert Sakamoto does not disclose control means for causing help means to perform a cap opening help operation if detection means detects that the cap opening operation by capping means cannot be performed.

The disclosure of Ito '609 does not rectify the failures of Sakamoto 730.

Thus, whether considered alone, or in combination, Sakamoto 730 and Ito '609 do not teach or suggest all claimed elements of Applicants' claimed invention and no *prima facie* case of obviousness under 35 U.S.C. § 103(a) exists. Accordingly, Applicants respectfully request the withdrawal of all rejections under 35 U.S.C. § 103(a) over Sakamoto 730 and Ito '609 and request the allowance of this application.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application. Should any issues remain which can be addressed in an Examiner Interview, Applicant requests the undersigned be contact for such an Interview.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5110.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5110.

Respectfully submitted,
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